

**JOINT**  
**PUBLIC NOTICE**

**CHARLESTON DISTRICT, CORPS OF ENGINEERS**  
**69A Hagood Avenue**  
**Charleston, South Carolina 29403-5107**  
**and the**  
**S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**  
**OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT**  
**1362 McMillan Avenue, Suite 400**  
**Charleston, South Carolina 29405**

REGULATORY DIVISION  
Refer to: P/N # 2006-3417-2IR

November 17, 2006

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 et seq.) an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

**BEACH SHIPYARD CREEK, LLC**  
**C/O THE CITY MARINA COMPANY**  
**POST OFFICE BOX 759**  
**CHARLESTON, SOUTH CAROLINA 29402**

for a permit to redevelop a site by constructing piers, docks, gangways, a launch area, a bulkhead sheetpile wall, conduct dredging, and place fill material in waters of the U.S. in

**SHIPYARD CREEK**

at a location approximately 0.6 miles north of the confluence of Shipyard Creek and the Cooper River at the end of Pittsburgh Avenue, Charleston County, South Carolina, (Latitude: 32.93444; Longitude: 79.94611).

In order to give all interested parties an opportunity to express their views

**N O T I C E**

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

**12 O'CLOCK NOON, MONDAY, DECEMBER 4, 2006**

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of constructing a 307' fixed concrete pier (marginal wharf) and construct a launch area for travel lift operations. The launch area will consist of three fixed concrete piers to support 75 ton and 300 ton travel lifts (6' x 91', 12' x 100', and 8' x 111'); two fixed timber piers for pedestrian access (6' x 90', and 6' x 111'); two 4' x 40' gangways; two floating docks (15' x 90' and 15' x 120'); 200 linear feet of sheetpile bulkhead, and 100 cubic yards of riprap scour protection. Approximately 2,500 cubic yards of material will be excavated to create the launch area. The material will be excavated with land-based equipment and will be contained and dewatered on the property uplands. During de-watering, the material will be capped with clean fill, approximately 1 foot thick. Once it is sufficiently dewatered, the material will be spread on-site and capped with clean earthen material. No additional critical area marsh will be shaded.

Proposed impacts (inter- and sub-tidal) include 0.02 acre of filling, 0.06 acre of dredging, and 0.46 acre of shading for a total of 0.54 acres. The purpose of the proposed project is to provide a commercial boat service facility capable of accommodating recreational and commercial vessels up to approximately 120 feet LOA.

NOTE: Previous permits for work at this site authorized the construction of a 711 ft. fixed concrete pier (marginal wharf) and 0.67 acres of impacts to freshwater wetlands (P/N 1999-1P-419-P) as well as maintenance dredging to deepen the berth along the pier (P/N 2000-1Z-293). The currently proposed work provides for a reduction from the previously authorized shading of 1.12 acres. Mitigation for the previous permits included the purchase of 4.9 mitigation credits from the Francis Beidler Forest and the creation of 0.32 acres of on-site wetlands. The 4.9 mitigation credits from Francis Beidler Forest were purchased by the previous permittee and were transferred to the new property owner with the transfer of the permits. The current applicant plans to fulfill the previous requirement and create 0.32 acres of on-site wetlands to fulfill the mitigation requirements. Sheet 11 of the attached plans depicts the locations of the wetland creation.

**NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the**

**U.S. Army Corps of Engineers  
ATTN: REGULATORY DIVISION  
69A Hagood Avenue  
Charleston, South Carolina 29403-5107**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact 0.54 acres of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

Pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended), the District Engineer has consulted the most recently available information and has determined that the project is not likely to adversely affect any Federally endangered, threatened, or proposed species or result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request for written concurrence from the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service on this determination.

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office to provide any information it may have with regard to historic and cultural resources.

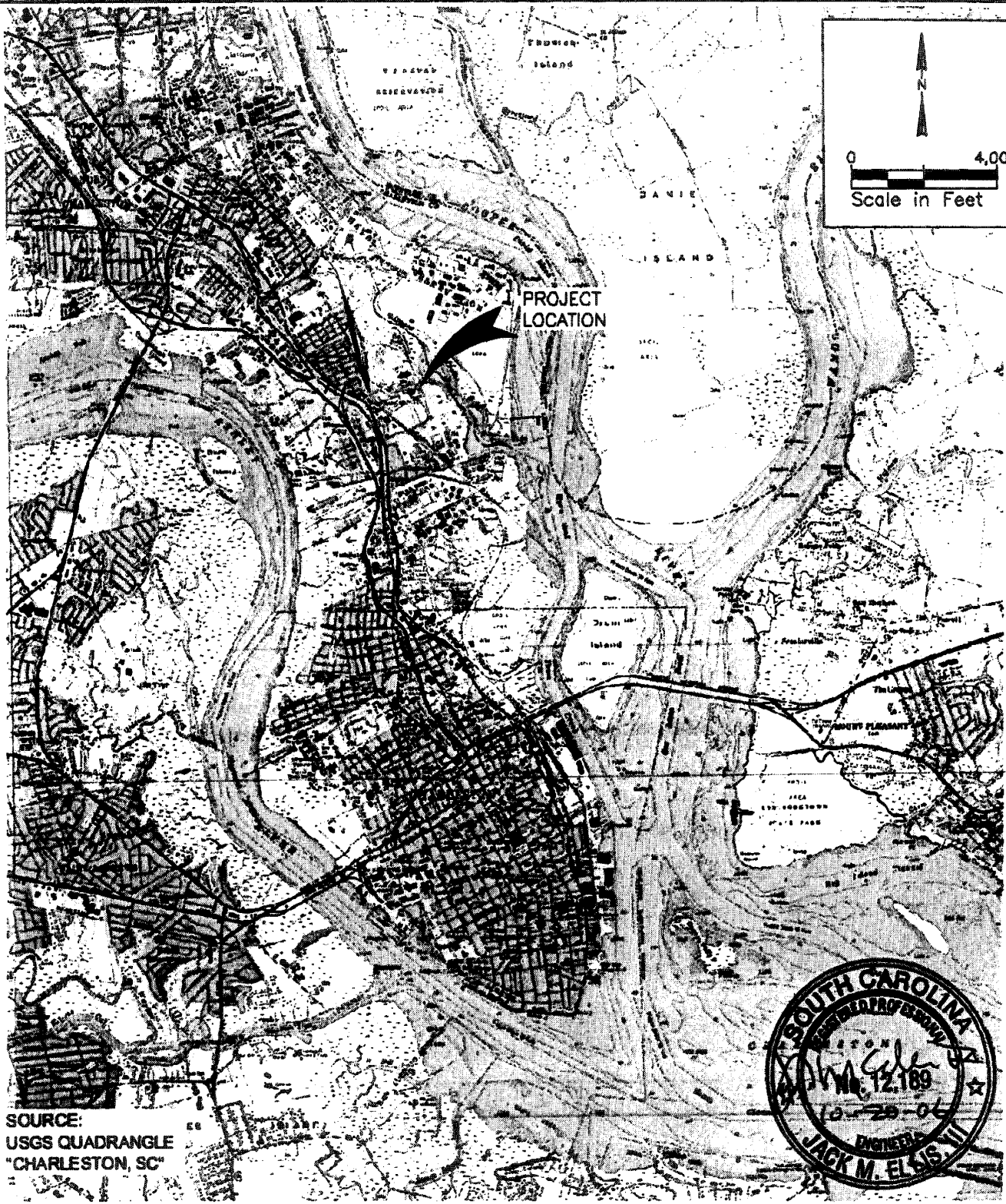
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

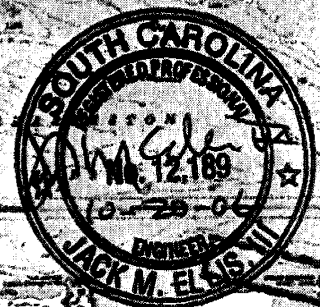
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact Robin Collier-Socha at 843-329-8044 or toll free at 1-866-329-8187.

FOR PERMITTING PURPOSES ONLY  
 "NOT FOR CONSTRUCTION"



SOURCE:  
 USGS QUADRANGLE  
 "CHARLESTON, SC"



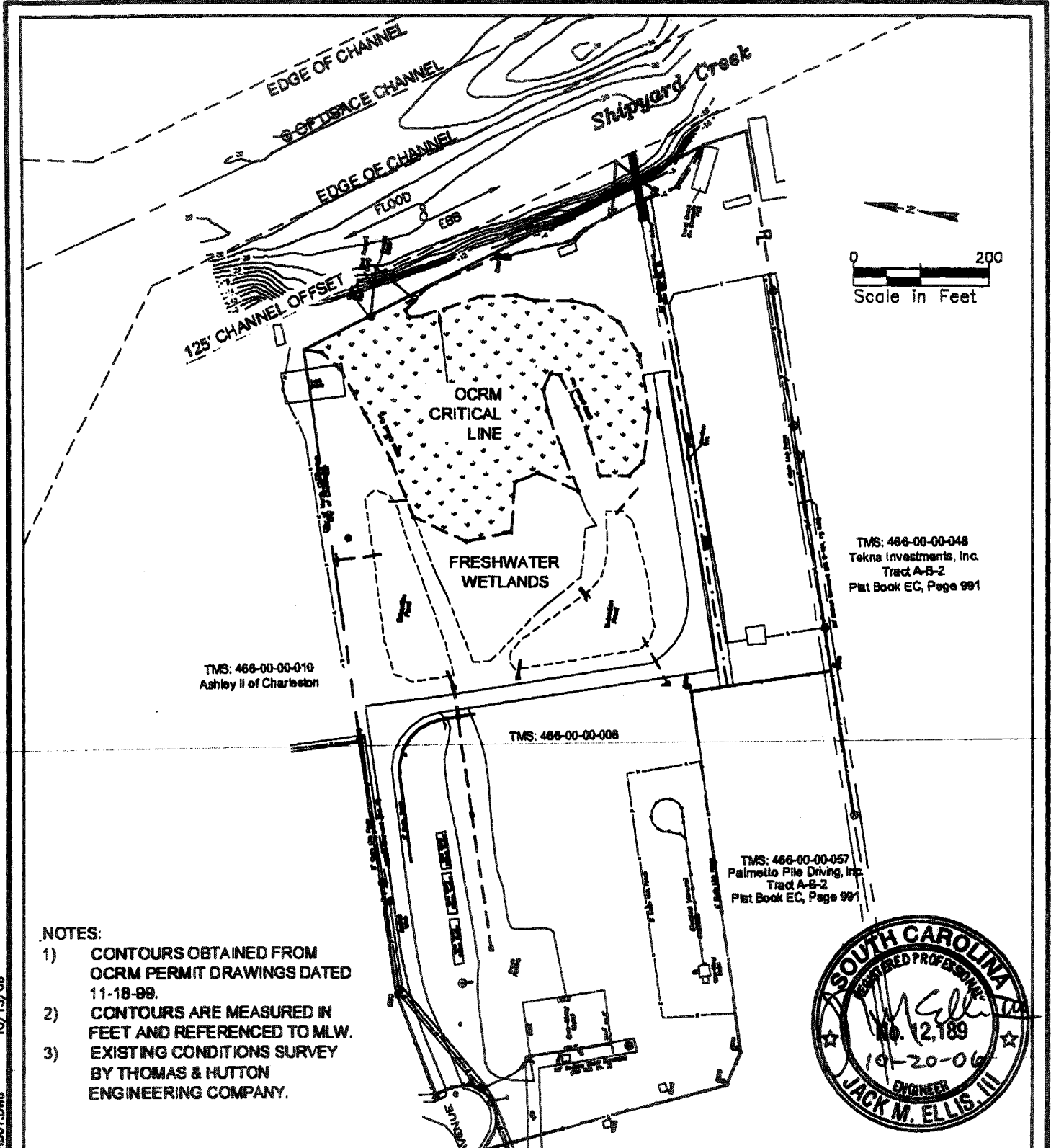
PURPOSE: BOAT SERVICE FACILITY  
 DATUM: MLW  
 APPLICATION BY: BEACH SHIPYARD  
 CREEK, LLC  
 USACE #99-1P-419-P  
 ADJACENT PROPERTY OWNERS:  
 DATE: 10/13/08

LOCATION MAP  
 SAC# 2006-3417  
 BEACH SHIPYARD CREEK, LLC  
 c/o THE CITY MARINA COMPANY  
 P.O. BOX 759  
 CHARLESTON, SC 29402

PROPOSED: MARINE PARK  
 IN: SHIPYARD CREEK  
 AT: 1905 PITTSBURGH AVENUE  
 COUNTY OF: CHARLESTON  
 STATE: SOUTH CAROLINA

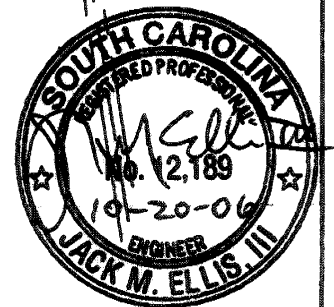
9915SCHB01.DWG 10/13/08

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"NOT FOR CONSTRUCTION"



NOTES:

- 1) CONTOURS OBTAINED FROM OCRM PERMIT DRAWINGS DATED 11-18-99.
- 2) CONTOURS ARE MEASURED IN FEET AND REFERENCED TO MLW.
- 3) EXISTING CONDITIONS SURVEY BY THOMAS & HUTTON ENGINEERING COMPANY.



PURPOSE: BOAT SERVICE FACILITY  
 DATUM: MLW  
 APPLICATION BY: BEACH SHIPYARD CREEK, LLC  
 USACE #99-1P-419-P  
 ADJACENT PROPERTY OWNERS:  
 DATE: 10/13/06

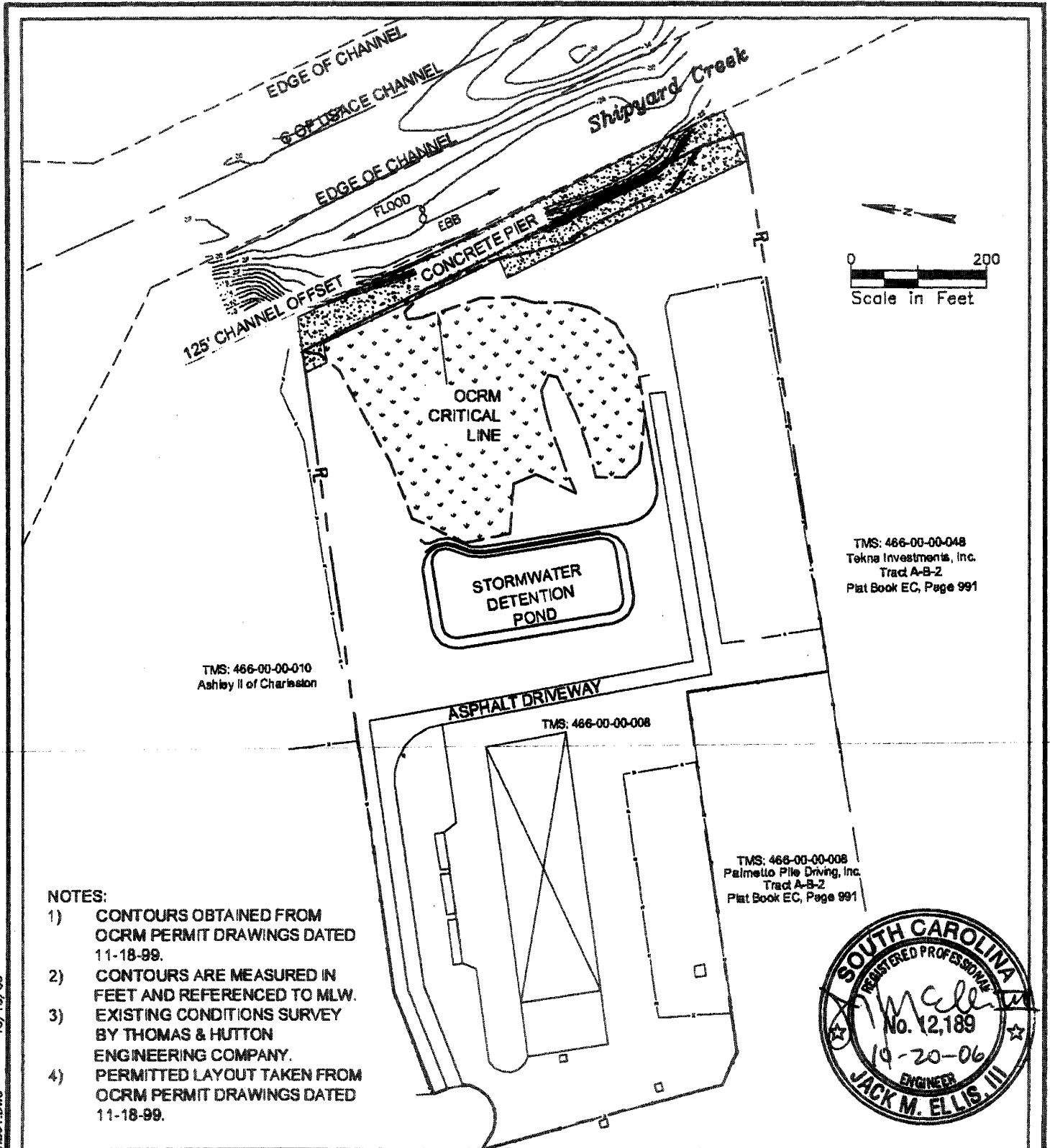
EXISTING CONDITIONS

S/AZ # 2006-3417

BEACH SHIPYARD CREEK, LLC  
 c/o THE CITY MARINA COMPANY  
 P.O. BOX 759  
 CHARLESTON, SC 29402

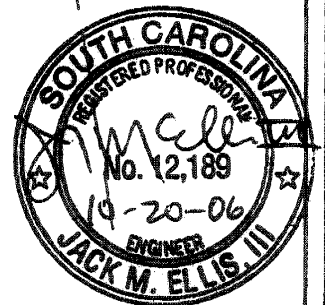
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 AT: 1905 PITTSBURGH AVENUE  
 COUNTY OF: CHARLESTON  
 STATE: SOUTH CAROLINA

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- 3) EXISTING CONDITIONS SURVEY BY THOMAS & HUTTON ENGINEERING COMPANY.
- 4) PERMITTED LAYOUT TAKEN FROM OCRM PERMIT DRAWINGS DATED 11-18-99.



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DATE: 10/13/08

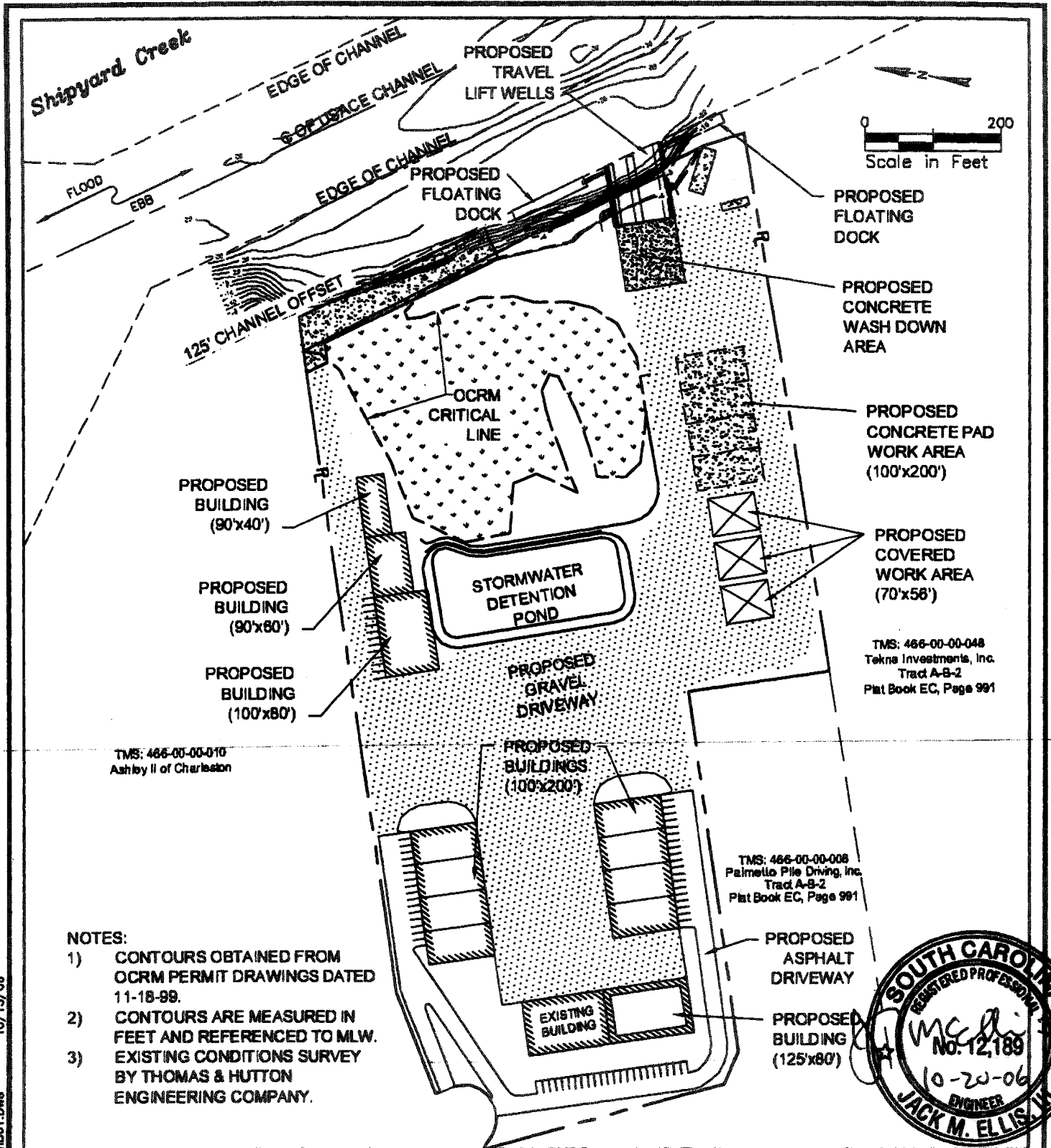
EXISTING PERMITTED  
SITE PLAN  
SAC # 2006-3417  
BEACH SHIPYARD CREEK, LLC  
c/o THE CITY MARINA COMPANY  
P.O. BOX 759  
CHARLESTON, SC 29402

PROPOSED: MARINE PARK  
IN: SHIPYARD CREEK  
AT: 1905 PITTSBURGH AVENUE  
COUNTY OF: CHARLESTON  
STATE: SOUTH CAROLINA

SHEET 3



FOR PERMITTING PURPOSES ONLY  
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PURPOSE: BOAT SERVICE FACILITY  
DATUM: MLW  
APPLICATION BY: BEACH SHIPYARD CREEK, LLC  
USACE #99-1P-419-P  
ADJACENT PROPERTY OWNERS:  
DATE: 10/13/06

PROPOSED MODIFICATION

SAC# 2006-3417  
BEACH SHIPYARD CREEK, LLC  
c/o THE CITY MARINA COMPANY  
P.O. BOX 759  
CHARLESTON, SC 29402

PROPOSED: MARINE PARK  
IN: SHIPYARD CREEK  
AT: 1905 PITTSBURGH AVENUE  
COUNTY OF: CHARLESTON  
STATE: SOUTH CAROLINA  
REV: 05/11/06  
SHEET 4

Shipyard Creek

**FLOOD**

**FBI**

EDGE OF CHANNEL

CO OF USACE CHANNEL

EDGE OF CHANNEL

**PROPOSED  
FLOATING  
DOCK  
(120'x15')**

PROPOSED  
GANGWAY  
- (4'x40')

**PROPOSED  
FLOATING  
DOCK  
(90'x15')**

SEE SHEET #8  
FOR TRAVEL  
LIFT WELL  
DETAILS

PROPOSED  
STEEL SHEET  
PILE BULKHEAD  
(±200 LF)

PROPOSED  
CONCRETE  
WASH DOWN  
AREA

↓ PROPOSED  
CONCRETE  
↓ PAD WORK  
AREA

OCRM  
CRITICAL  
LINE

— OCRM  
CRITICAL  
LINE

A circular professional engineer seal for the State of South Carolina. The outer ring contains the text "SOUTH CAROLINA" at the top and "JACK M. ELLIS, III" at the bottom. Inside the ring, the words "REGISTERED PROFESSIONAL" are at the top and "ENGINEER" is at the bottom. The center of the seal contains the handwritten name "J. M. Ellis", the number "No. 12,189", and the date "10-25-06".

**PROPOSED MODIFICATION  
WITH DIMENSIONS**  
SAC # 2006-3417  
BEACH SHIPYARD CREEK, LLC  
c/o THE CITY MARINA COMPANY  
P.O. BOX 759  
CHARLESTON, SC 29402

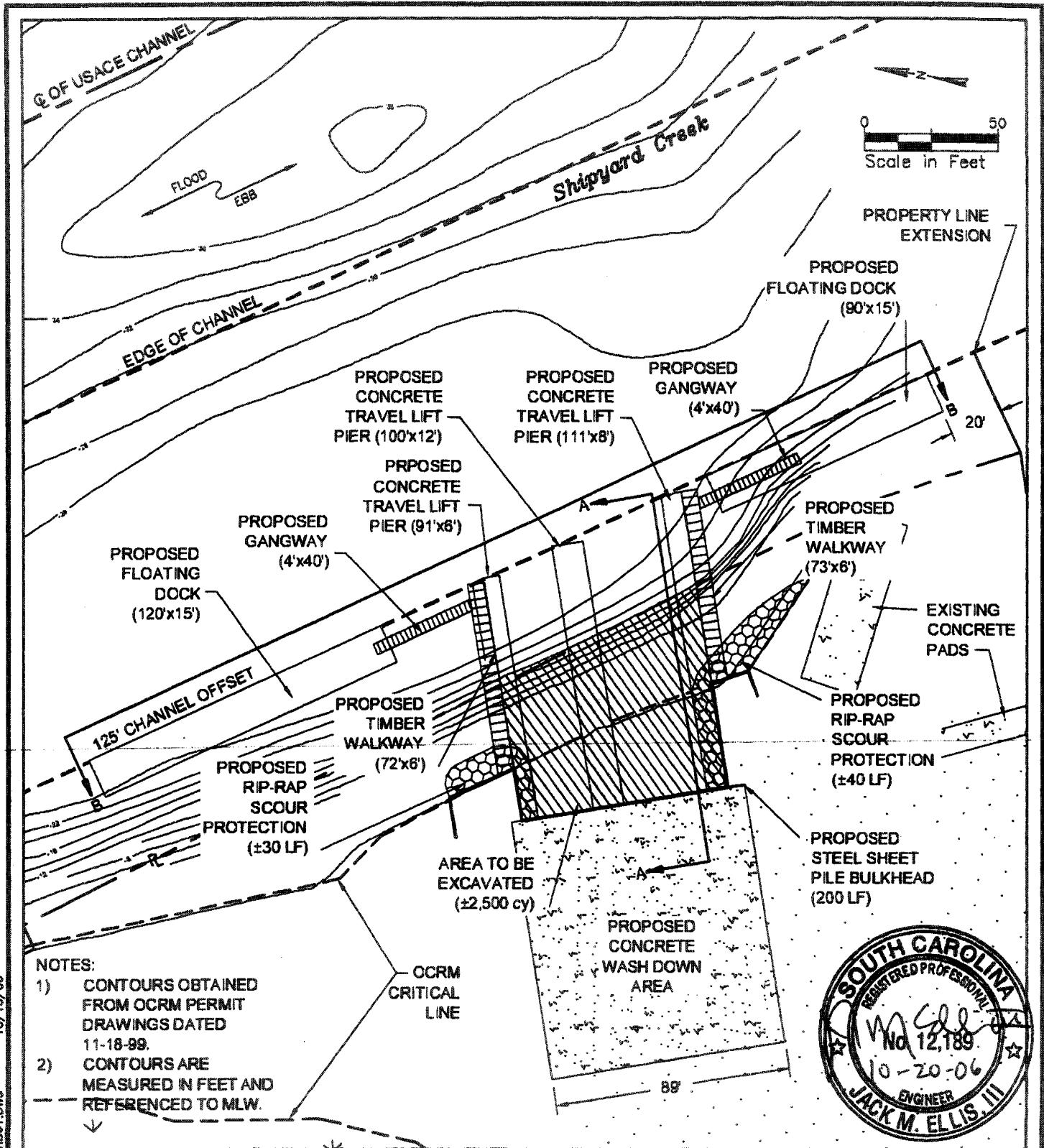
**SHEET 5**

10/13/08

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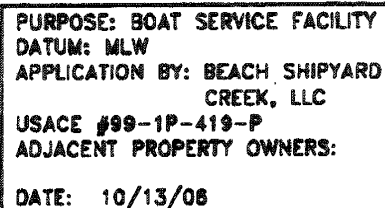


PURPOSE: BOAT SERVICE FACILITY  
DATUM: MLW  
APPLICATION BY: BEACH SHIPYARD CREEK, LLC  
USACE #99-1P-419-P  
ADJACENT PROPERTY OWNERS:  
DATE: 10/13/06

PROPOSED LAUNCH AREA  
SAC # 2006-3417  
BEACH SHIPYARD CREEK, LLC  
c/o THE CITY MARINA COMPANY  
P.O. BOX 759  
CHARLESTON, SC 29402

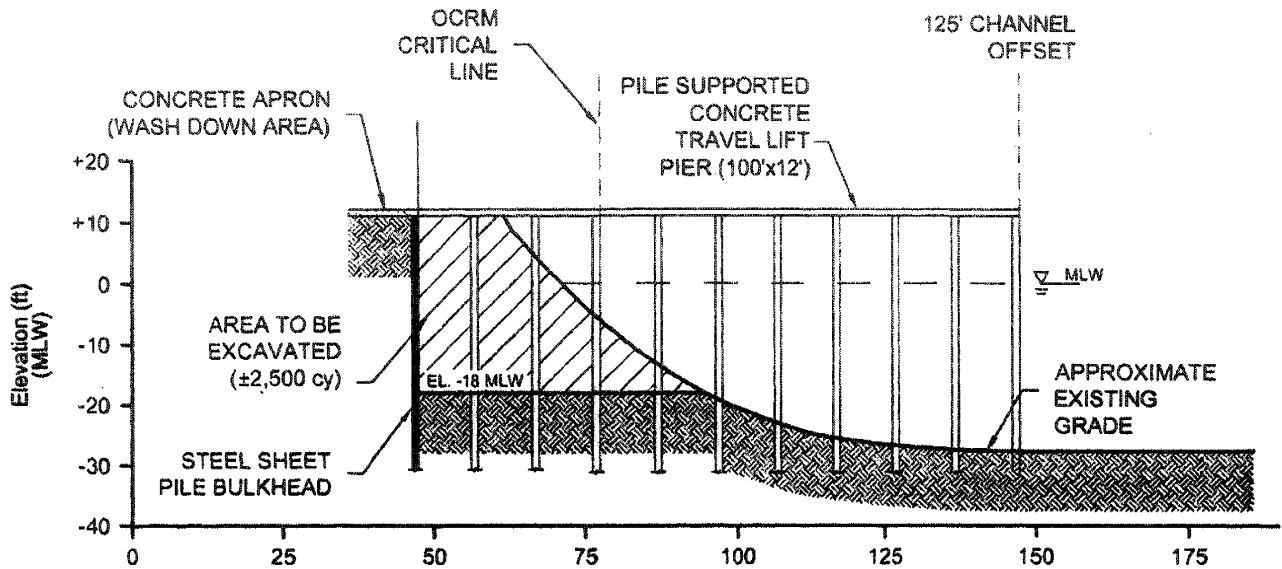
PROPOSED: MARINE PARK  
IN: SHIPYARD CREEK  
AT: 1905 PITTSBURGH AVENUE  
COUNTY OF: CHARLESTON  
STATE: SOUTH CAROLINA

99155CHB01.DWG 10/13/08



PROPOSED: MARINE PARK  
IN: SHIPYARD CREEK  
AT: 1905 PITTSBURGH AVENUE  
  
COUNTY OF: CHARLESTON  
STATE: SOUTH CAROLINA

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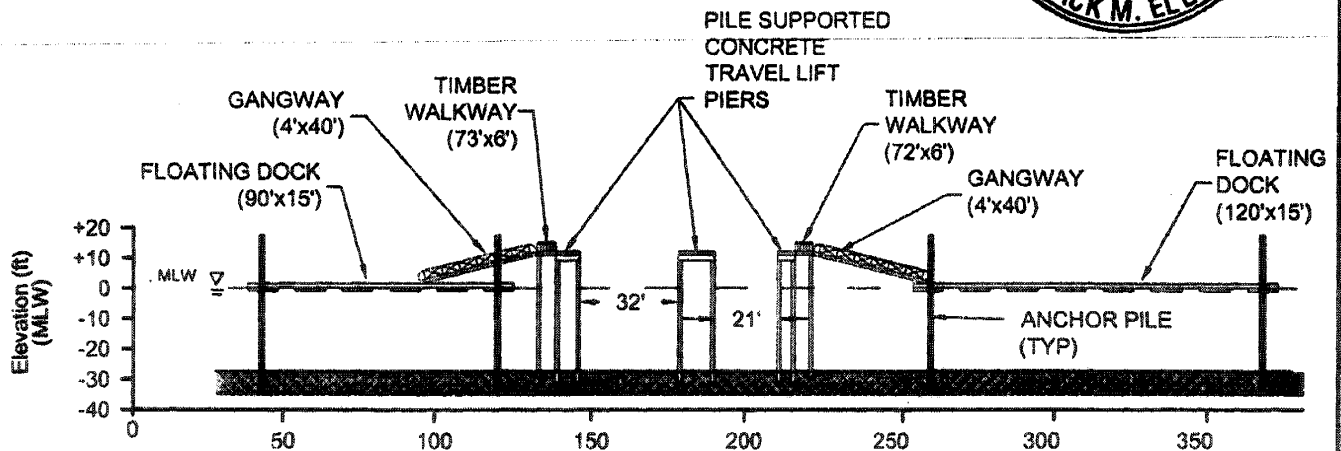
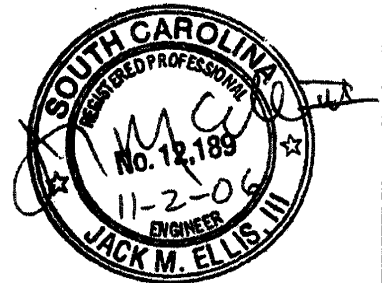


NOTES:

- 1.) PROFILE DATA OBTAINED FROM OCRM PERMIT DRAWINGS DATED 11-18-99.
- 2.) VERTICAL DATUM IS MEASURED IN FEET AND REFERRED TO MLW.

SECTION A-A

Distance (ft)



SECTION B-B

Distance (ft)

PURPOSE: BOAT SERVICE FACILITY  
DATUM: MLW  
APPLICATION BY: BEACH SHIPYARD CREEK, LLC  
USACE #99-1P-419-P  
ADJACENT PROPERTY OWNERS:  
DATE: 11/02/06

CROSS-SECTIONS

SAC # 2006-3417  
BEACH SHIPYARD CREEK, LLC  
c/o THE CITY MARINA COMPANY  
P.O. BOX 759  
CHARLESTON, SC 29402

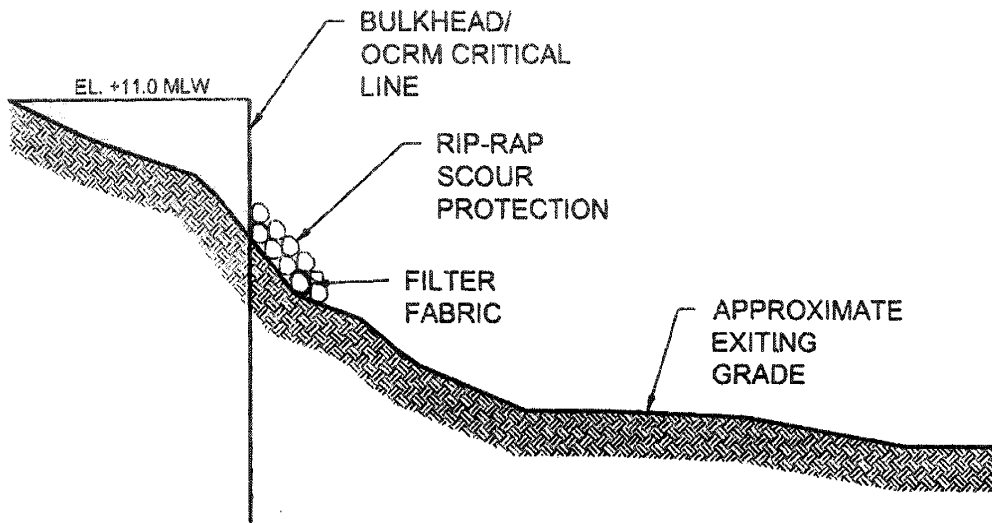
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COUNTY OF: CHARLESTON  
STATE: SOUTH CAROLINA

SHEET 8

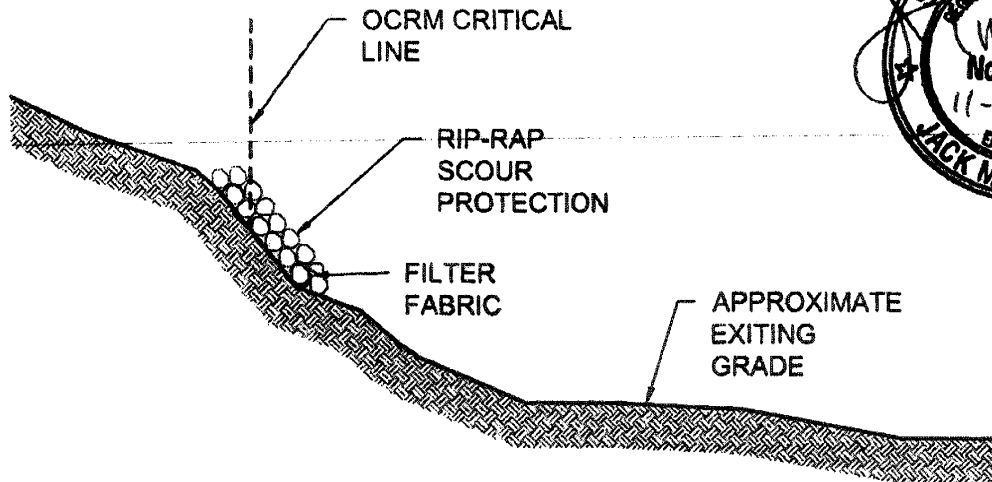
10/13/06

59155CH-B01.DWG

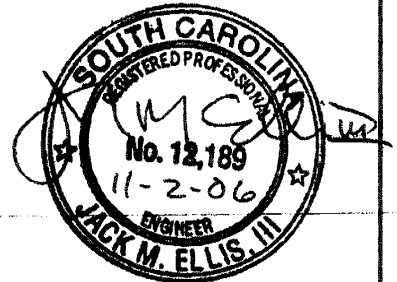
FOR PERMITTING PURPOSES ONLY  
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TYPICAL RIP-RAP CROSS-SECTION ALONG BULKHEAD  
N.T.S.



TYPICAL RIP-RAP CROSS-SECTION ALONG SHORELINE  
N.T.S.



PURPOSE: BOAT SERVICE FACILITY  
DATUM: MLW  
APPLICATION BY: BEACH SHIPYARD  
CREEK, LLC  
USACE #99-1P-419-P  
ADJACENT PROPERTY OWNERS:  
DATE: 11/02/06

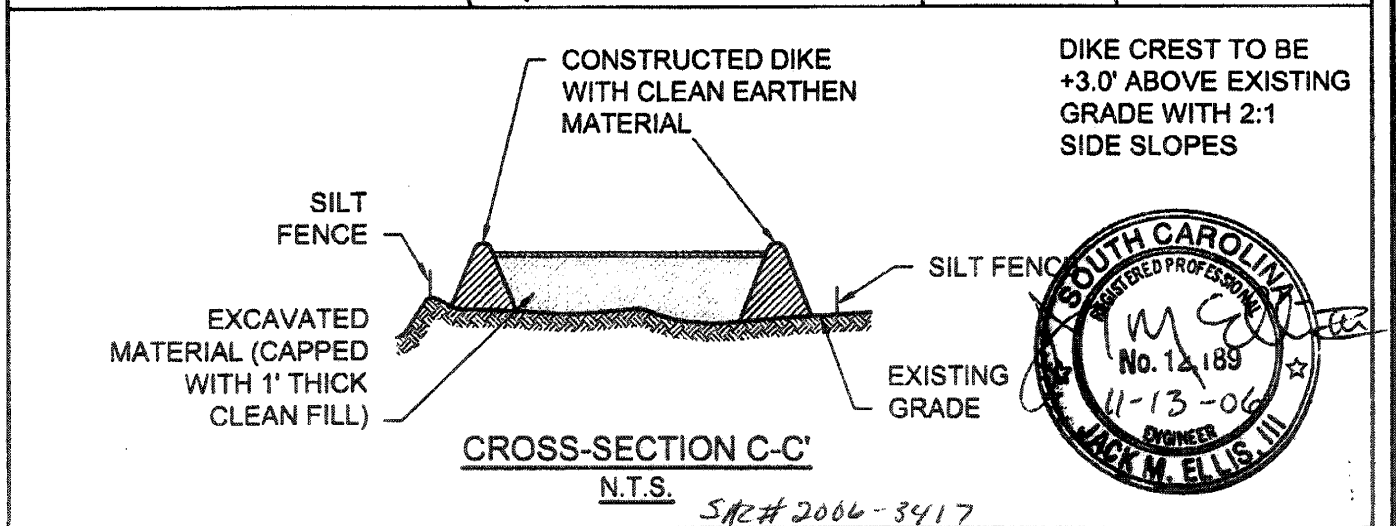
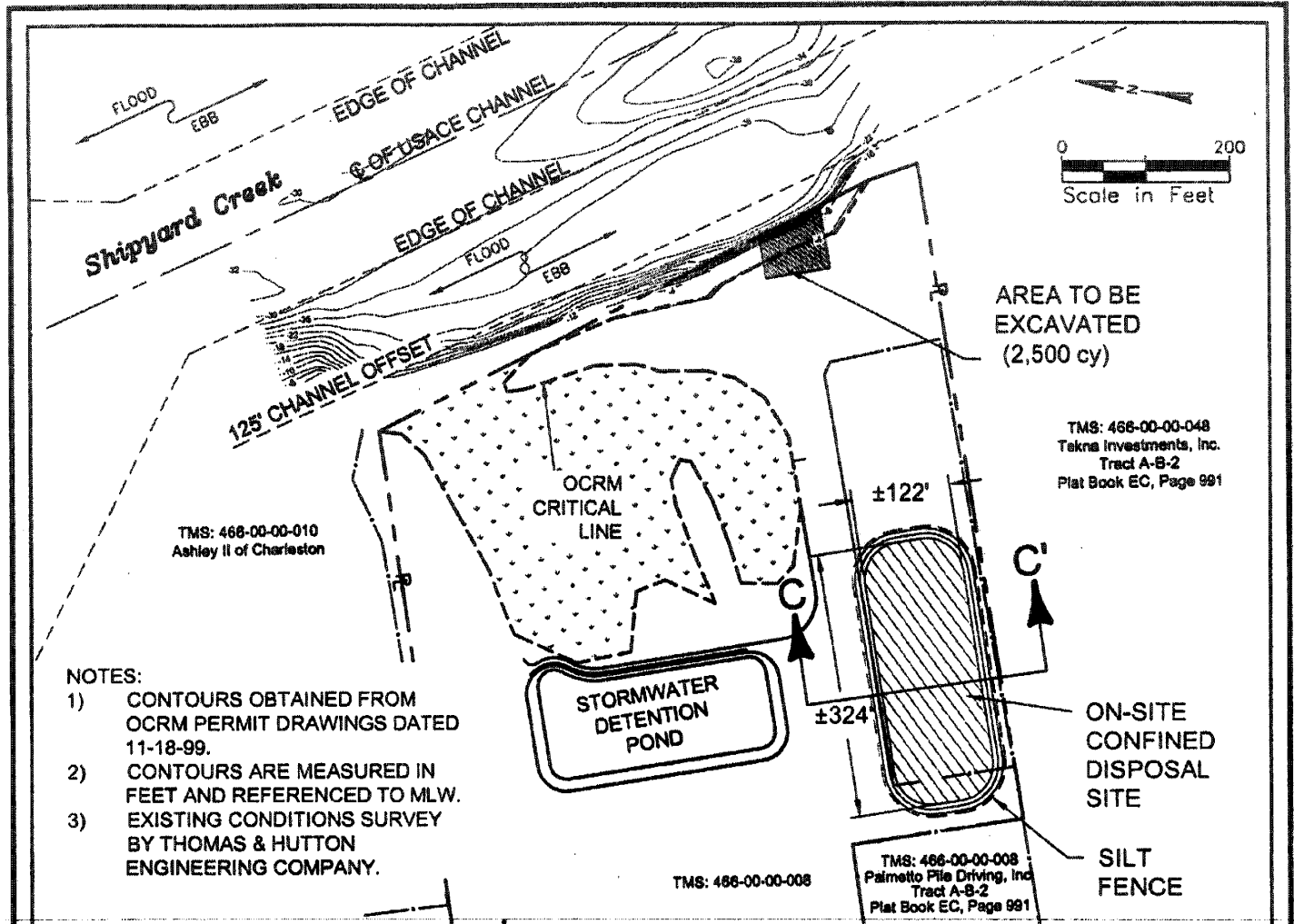
TYPICAL RIP-RAP  
CROSS-SECTIONS  
SAZ # 2006-3417  
BEACH SHIPYARD CREEK, LLC  
c/o THE CITY MARINA COMPANY  
P.O. BOX 759  
CHARLESTON, SC 29402

PROPOSED: MARINE PARK  
IN: SHIPYARD CREEK  
AT: 1905 PITTSBURGH AVENUE  
COUNTY OF: CHARLESTON  
STATE: SOUTH CAROLINA

SHEET 9

99155C-801.DWG 10/13/06

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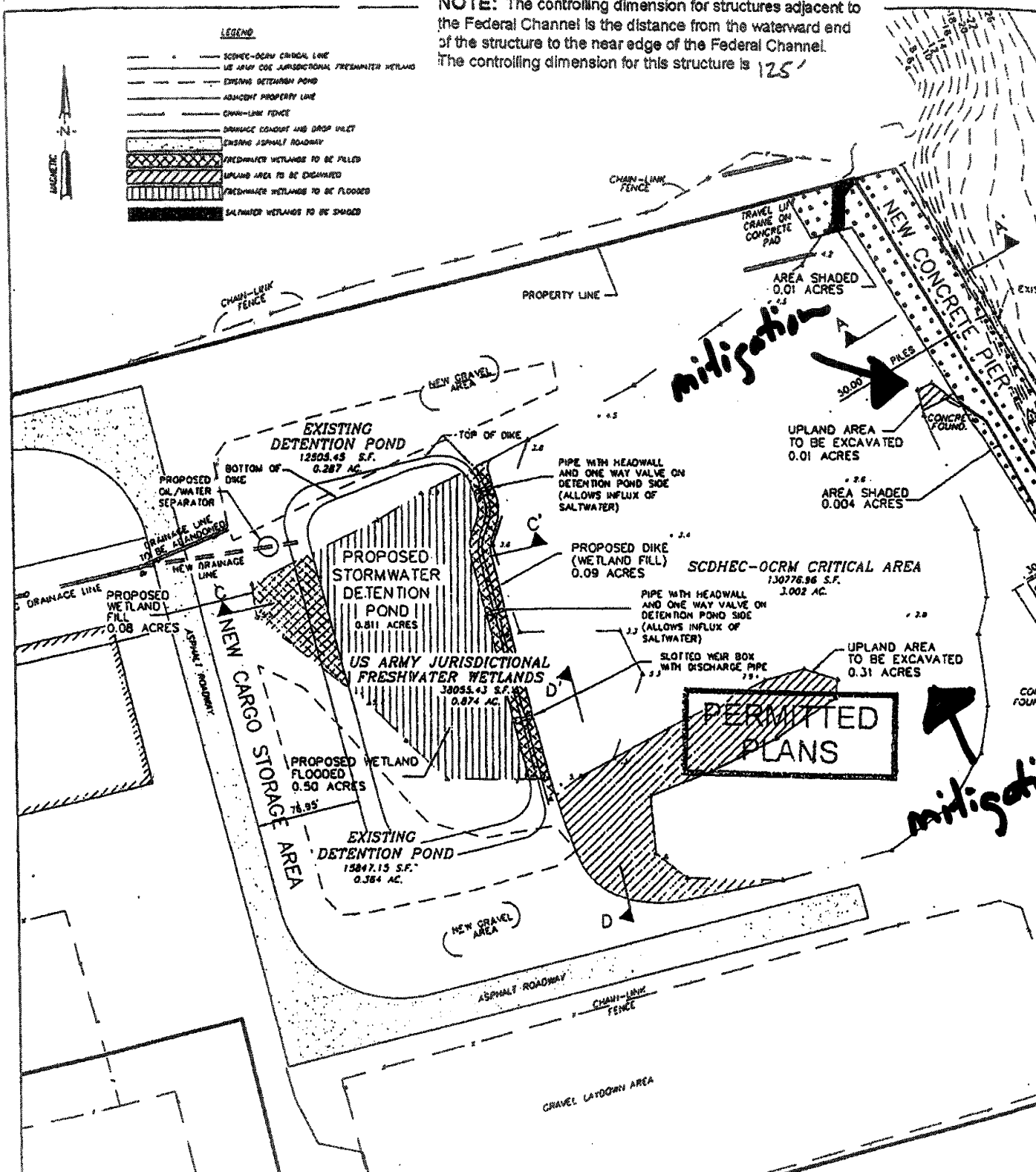
PURPOSE: BOAT SERVICE FACILITY  
DATUM: MLW  
APPLICATION BY: BEACH SHIPYARD CREEK, LLC  
USACE #99-1P-419-P  
ADJACENT PROPERTY OWNERS:  
DATE: 11/02/06

PROPOSED EXCAVATION & ON-SITE DISPOSAL AREA  
BEACH SHIPYARD CREEK, LLC  
c/o THE CITY MARINA COMPANY  
P.O. BOX 759  
CHARLESTON, SC 29402

PROPOSED: MARINE PARK  
IN: SHIPYARD CREEK  
AT: 1905 PITTSBURGH AVENUE  
COUNTY OF: CHARLESTON  
STATE: SOUTH CAROLINA

SHEET 10

NOTE: The controlling dimension for structures adjacent to the Federal Channel is the distance from the waterward end of the structure to the near edge of the Federal Channel. The controlling dimension for this structure is 125'



PURPOSE: IMPORT/EXPORT OF BREAK BULK CARGO

**ADJACENT PROPERTY OWNERS**

- 1) MACALLOY CORPORATION
- 2) REPUBLIC CONTRACTING
- 3) PALMETTO PILE DRIVING

**FIGURE 6**  
WETLANDS PLAN VIEW

APPROXIMATE SCALE: 1" = 100'



SAC # 2006-3417

PROPOSED: Marine Park

AT: PITTSBURGH AVENUE PROPERTY

IN: SHIPYARD CREEK

COUNTY OF: CHARLESTON,  
SOUTH CAROLINA

SHEET: 11

DATE: 01/17/00

GENERAL ENGINEERING